

**MEDICAL EXAMINER'S OFFICE**

**AMENDMENTS**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Glenn A. Donnelson**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends the Medical Examiner's Act in the Health Code.

**Highlighted Provisions:**

This bill:

- authorizes the medical examiner to establish a medical examiner's office in St.

George, Moab, and Logan if funding is available, and if the executive director of the Department of Health approves.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**26-4-4**, as last amended by Chapter 10, Laws of Utah 1997

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **26-4-4** is amended to read:

**26-4-4. Chief medical examiner -- Appointment -- Qualifications -- Authority.**

(1) The executive director, with the advice of an advisory board consisting of the



chairman of the Department of Pathology at the University of Utah medical school and the dean of the law school at the University of Utah, shall appoint a chief medical examiner who shall be licensed to practice medicine in the state and shall meet the qualifications of a forensic pathologist, certified by the American Board of Pathologists.

(2) (a) The medical examiner shall serve at the will of the executive director. ~~[He shall have]~~

(b) The medical examiner has authority to:

(i) employ ~~[such]~~ medical, technical and clerical personnel as may be required to effectively administer this chapter, subject to the rules of the department and the state merit system~~[- He shall have authority to];~~

(ii) conduct investigations, pathological examinations, and perform autopsies authorized in this title~~[- The medical examiner shall have authority to];~~

(iii) conduct or authorize necessary examinations on dead bodies and retain tissues and biological samples for scientific purposes and those he considers necessary to accurately certify the cause and manner of death~~[- In];~~

(iv) in the case of an unidentified body, ~~[the medical examiner shall authorize or]~~ conduct investigations, tests, and processes in order to determine ~~[its]~~ the identity ~~[as well as the]~~ and cause of death~~[- The medical examiner may]~~ of the unidentified body;

(v) appoint regional pathologists, each of whom shall be approved by the executive director[-]; and

(vi) with approval from the executive director, and as funding is available, establish a medical examiner's office and laboratory in St. George, Moab, and Logan.

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### Legislative Review Note

as of 1-23-06 10:01 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

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**Fiscal Note**  
**Bill Number HB0314****Medical Examiner's Office Amendments***30-Jan-06**8:15 AM*

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**State Impact**

This bill authorizes the Department of Health to establish and operate three new medical examiner's offices as funding is available. It is estimated that the net cost to establish one office could be up to \$1,053,500 with ongoing annual operating expenses between \$350,000 and \$500,000, depending on whether the facilities are built or leased. It would take legislative General Fund appropriation to establish these offices.

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**Individual and Business Impact**

No fiscal impact until after the offices are established.

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**Office of the Legislative Fiscal Analyst**